

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ORSCHELN FARM AND HOME, LLC,

Plaintiff,

vs.

**AFFILIATED FM INSURANCE
COMPANY,**

Defendant.

4:19CV3013

**SECOND AMENDED
CASE PROGRESSION ORDER**

This matter comes before the Court on the parties' Joint Motion for 30-Day Extension of Certain Pre-Trial Deadlines ([Filing No. 33](#)). After review of the parties' motion, the Court finds good cause to grant the requested extensions. Accordingly,

IT IS ORDERED that the Joint Motion for 30-Day Extension of Certain Pre-Trial Deadlines ([Filing No. 33](#)) is granted and the case progression order is amended as follows:

- 1) The pretrial conference and trial are cancelled and will be rescheduled at a later date.
- 2) The telephonic status conference scheduled for January 24, 2020, is cancelled.
- 3) The deadline to complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), remains **December 20, 2019**.
- 4) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure remains **January 17, 2020**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **January 31, 2020**.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 5) The deposition deadline is **February 17, 2020**.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 6) A status conference to discuss dispositive motions, the pretrial conference and trial dates, and settlement status will be held with the undersigned magistrate judge on **February 21, 2020**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is **March 9, 2020**.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **March 9, 2020**.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 10) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 19th day of December, 2019.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge